



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
(801) 538-5340 telephone
(801) 359-3940 fax
(801) 538-7223 TTY
www.nr.utah.gov

Michael O. Leavitt
Governor
Robert L. Morgan
Executive Director
Lowell P. Braxton
Division Director

August 1, 2003

Bank of America, N.A.
Trade Operations
Mail Code: CA9-703-19-09
333 South Beaudry Avenue, 19th Floor
Los Angeles, California 90017

Re: Acceptance of Amended LOC #1 Georgia Pacific Gypsum Corporation, Eagle Mountain Quarry, M/015/050, Emery County, Utah

Dear Sirs:

On July 28, 2003, we received amendment number 1 to Letter of Credit # . This amendment was issued to add the Bureau of Land Management (BLM) as another beneficiary. The beneficiaries are now listed as the Utah Division of Oil, Gas and Mining and as agent for the BLM.

The Division Director, Lowell P. Braxton, accepted the amendment. We are returning a copy of the signed document to you as requested. We have kept the original to be attached to the original LOC.

Thank you for your prompt attention amending this LOC.

Sincerely,

D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb
Enclosure: copy of signed amendment
cc: Russell Harms, Georgia Pacific w/encl
Dean Nyffeler, BLM, Price FO w/encl
O:\M015-Emery\M0150050-EagleCanyonQuarry\Final\amend-ltr-

ioc



PAGE: 1

DATE: JULY 25, 2003

AMENDMENT TO IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER: _____

AMENDMENT NUMBER 1

RECEIVED

JUL 28 2003

DIV. OF OIL, GAS & MINING

BENEFICIARY
UTAH DIVISION OF OIL, GAS, AND
MINING
1594 WEST NORTH TEMPLE, SUITE 1210
BOX 145801

APPLICANT
GP GYPSUM CORPORATION
133 PEACHTREE ST. N.E.
ATLANTA, GA 30303

SALT LAKE CITY, UTAH 84114-5801
ATTN: PAUL BAKER

RE: SIGURD, UT
(PERMIT NO. M/015/050)

AND AS AGENT FOR
U.S. BUREAU OF LAND MANAGEMENT
UTAH STATE OFFICE
P.O. BOX 45155

SALT LAKE CITY, UT 84145-0155

THIS AMENDMENT IS TO BE CONSIDERED AN INTEGRAL PART OF THE ABOVE CREDIT
AND MUST BE ATTACHED THERETO.

THE ABOVE MENTIONED CREDIT IS AMENDED AS FOLLOWS:

APPLICANT'S NOW TO READ AS SHOWN ABOVE

BENEFICIARY'S NAME AND ADDRESS NOW TO READ AS SHOWN ABOVE

PARAGRAPH 1 IS NOW DELETED IN ITS ENTIRETY AND REPLACED WITH THE
FOLLOWING:

"1. BANK OF AMERICA, N.A. ("BANK"), OF LOS ANGELES, CALIFORNIA, HEREBY
ESTABLISHES THIS IRREVOCABLE LETTER OF CREDIT (THE "LETTER OF CREDIT") IN
FAVOR OF THE UTAH DIVISION OF OIL, GAS, AND MINING ("DIVISION") FOR ITSELF
AND AS AGENT FOR U.S. BUREAU OF LAND MANAGEMENT ("BUREAU") FOR AN
AGGREGATE AMOUNT NOT TO EXCEED EIGHTY FOUR THOUSAND SEVEN HUNDRED ONLY IN
UNITED STATES DOLLARS ("FACE AMOUNT") EFFECTIVE IMMEDIATELY."

UNDER PARAGRAPH 4, THE WORDS "EXHIBIT A" AND "EXHIBIT B" ARE DELETED AND
REPLACED BY "EXHIBIT A (REVISED)" AND "EXHIBIT B (REVISED)" RESPECTIVELY.

THIS AMENDMENT WILL BECOME EFFECTIVE UPON RECEIPT OF THE BENEFICIARY'S
WRITTEN ADVICE OF CONSENT PURPORTEDLY SIGNED BY AN AUTHORIZED SIGNOR OF
THE BENEFICIARY. IF THE BENEFICIARY CHOOSES, THEY MAY SIGN AND RETURN THE
ATTACHED COPY INDICATING THEIR CONSENT OR REJECTION.

☒ AMENDMENT ACCEPTED

☐ AMENDMENT REFUSED

DATE 8-1-03

SIGNATURE Lowell P Braxton

PRINTED NAME Lowell P Braxton

TITLE _____

PHONE NUMBER _____

IF YOU REQUIRE ANY ASSISTANCE OR HAVE ANY QUESTIONS REGARDING THIS AMENDMENT, PLEASE CALL 213-345-0088.

N. Gerhard

AUTHORIZED SIGNATURE

Stella M. Rosales

AUTHORIZED SIGNATURE

NUNTAWAN GERHARD THIS DOCUMENT CONSISTS OF 2 PAGE(S) STELLA ROSALES

REVISED

EXHIBIT A – SIGHT DRAFT

To

Letter of Credit No. _____

Date	City, County	L/C Number
------	--------------	------------

PAY TO THE ORDER OF UTAH DIVISION OF OIL, GAS AND MINING

_____ UNITED STATES
DOLLARS

TO: Bank of America, N.A.
333 S. Beaudry Avenue
19th Floor, Mail Code: CA9-703-19-23
Los Angeles, CA 90017

Utah Division of Oil, Gas and
Mining
1594 West North Temple Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801, and
as agent for U.S. Bureau of Land Management
Utah State Office
P.O. Box 45155
Salt Lake City, UT 84145-0155

By: _____
Authorized Signature

REVISED

EXHIBIT B

To

Letter of Credit No. _____

I, _____, a duly authorized representative of the Utah Division of Oil, Gas and Mining, and as agent for U.S. Bureau of Land Management, hereby certify that (1) the drawing in the amount of \$ _____, by sight draft accompanying this certificate, under Letter of Credit No. _____ dated June 16, 2003 issued by you is permitted under the provision of the Letter of Credit, (2) the Letter of Credit has neither expired nor terminated pursuant to its terms, (3) the amount of the sight draft, together with any amounts previously drawn under the Letter of Credit, does not exceed the Face Amount, and (4) the Utah Division of Oil, Gas and Mining, and as agent for U.S. Bureau of Land Management, after notice and hearing, has entered an Order which has not been stayed, ordering forfeiture of Letter of Credit No. _____ in accordance with applicable law. Proceeds of this drawing will be utilized in full to pay the expenses relating to the reclamation liability, together with the costs of collection, including attorneys fees, for the Sigurd Gypsum Mining Operation, M/015/050.

Utah Division of Oil, Gas, and Mining,
and as agent for U.S. Bureau of Land
Management

By: _____
Authorized Signature

Date: _____